

DARTMOOR NATIONAL PARK AUTHORITY
DEVELOPMENT MANAGEMENT COMMITTEE

Friday 22 May 2020

Present: K Ball, S Barker, A Cooper, G Gribble, P Harper, G Hill, J McInnes,
S Morgan, D Moyse, J Nutley, N Oakley, C Pannell,
M Renders, P Sanders, P Smerdon, P Vogel, P Woods

Officers: Mr C Hart, Head of Development Management
Mr J Aven, Deputy Head of Development Management
Mr P Twamley, Planning Officer
Mrs H Union, Solicitor (Devon County Council)
Mr N White, Monitoring Officer

Apologies: D Webber

The Chairman reminded Members of the meeting protocol and that the meeting would be recorded. Members were requested to ensure that they referred to relevant page or slide numbers when making a comment or raising a query. A comfort break of 10 minutes would be taken every hour.

Members were also reminded that when voting, consistent language should be used i.e., *For the motion, Against the motion or Abstain*.

The Chairman proposed that Members agree that decisions be made via verbal vote, as opposed to a show of hands – as per Standing Order 14.1. Following a vote, the motion was CARRIED.

Mr Barker joined the meeting

1412 Minutes of the Meeting held on Friday 6 March 2020

Subject to the amendments detailed below, the minutes of the meeting held on Friday 6 March 2020 were agreed and signed as a correct record.

Minute 1411 should state that the requested pre-committee site visit related to Planning Application 0348/15 - Extension of the working plan area of the existing active quarry - Yennadon Quarry, Iron Mine Lane, Dousland.

Members NOTED that the site inspection, which had been set to take place on Thursday 20 March, was postponed due to the Covid 19 emergency. The pre-committee site inspection would be rearranged once the Government restrictions were revised and it was safe to do so.

1413 Declarations of Interest and Contact

Members agreed to declare those interests set out in the matrix of membership of other bodies.

Mrs Hill declared a personal interest, due to being a Parish Councillor, in Item 2 – 0167/20 – Higher Weddicott Farm, Chagford. She advised that she would disconnect from the meeting whilst the item was discussed and determined.

Mrs Pannell declared a personal interest, due to being a Parish Councillor, in Item 1 – 0573/19 – land to the rear of 50-51 Crowder Park, South Brent.

1414 Applications for Determination by the Committee

Members received the report of the Head of Development Management (NPA/DM/20/013).

Item 1 – 0573/19 – Demolition of existing buildings and erection of two dwellings (one for affordable housing purposes) with detached garage and parking – land to the rear of 50-51 Crowder Park, South Brent

The Case Officer advised Members that the application was for the erection of two dwellings at the rear of 50/51 Crowder Park, South Brent. The site, a former Council yard, is currently a private storage depot, with garages and workshops still on site. Under policy, the site is currently designated as an existing small employment site; no residential use permitted at present. However, in consideration of the location, officers have no objection in principle to the proposed change of use of the site for residential purposes. However, in the spirit of abiding by policy the application should be driven by the requirement to provide affordable housing. The proposed 50sqm one bed unit is the absolute minimum size acceptable. By contrast, the proposed open market dwelling would be a 200sqm, four bed property.

The proposed dwellings would be sited tight to the north western boundary; the ground level in this position is already some 2m higher than the adjacent garden. Construction of the larger of the proposed dwellings would effectively impose a dominant, 9.7m wall within 5m of the existing neighbouring, single storey dwelling. The layout of the proposed site appears cramped and does not allow for suitable outdoor amenity space that would be expected for two separate dwellings.

The area to the west of the site has planning permission for 40 dwellings, subject to a S106 agreement being completed.

The Case Officer read a letter from Mr S Anderson, Agent for the Applicant. The letter detailed the positive aspects of the proposed development:

- The site is acceptable for residential purposes in principle;
- the proposed development was driven by policy, particularly the requirement for affordable housing;
- the potential to significantly enhance the site for the benefit of the area; and
- there have been no objections from local residents.

Mr Anderson stated that, in his opinion, it would be almost impossible for Members to make a reasoned judgement about the precise impact of the proposed development upon its immediate surroundings within the setting of the virtual committee meeting. He therefore requested, on behalf of the applicant, that the application be deferred and a site inspection be agreed, to include a presentation from the architect, once the lockdown restrictions, due to Covid-19, had been eased.

In response to Member queries, the Head of Development Management advised that discussions had taken place with the applicant but no alternative scheme had been raised at this time. With regard to Mr Anderson's letter, he confirmed that the Site Inspection Protocol did not permit any presentations, either by or on behalf of the applicant, to be made to Members. He confirmed that Members had granted planning permission for the construction of 40 dwellings on the area to the west of the proposed site; the development is the subject of a s.106 legal agreement. Some of these properties would be overlooked by the proposed four bed dwelling.

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

A Member commented that the site was currently unattractive. The proposed re-development of the brownfield site is acceptable under policy as was the proposed affordable housing unit.

Other Members expressed concern over the proportionality of the two dwellings, and stated that officers had been correct to raise the issue of dwelling standards. The lack of amenity space for the proposed properties and the issue of overlooking were also raised as concerns. In addition, the design and appearance was unacceptable and Members would expect to see two dwellings of a more similar design and size.

RESOLVED: That permission be REFUSED for the following reasons:

1. The proposed development, by reason of its size, mass and position on the site, would have a detrimental impact on the amenity of neighbouring residents, contrary to policies COR4 and DMD4 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.
2. The design and layout of the proposed dwellings, the lack of amenity space and potential for overlooking of neighbourhood development, would be detrimental to the amenity of the proposed occupants and adjacent residents, contrary to policies COR4 and DMD4 of the Dartmoor National Park Development Plan and the advice contained in the English National Parks and the Broads UK Government Vision and Circular 2010, the National Planning Policy Framework 2019 and the Dartmoor National Park Design Guide.

Mrs Hill disconnected and left the meeting.

Mrs Oakley lost connection with the meeting and took no part in the discussion and determination of the following application.

Item 2 – 0167/20 – Removal of condition 1 to planning permission granted under ref. 0203/13 to allow building to be used as an unrestricted dwelling – Higher Weddicott Farm, Chagford

Speaker: Mr D Rogers, Applicant

The Case Officer advised Members that Higher Weddicott Farm lies to the south of Chagford, on the eastern slopes of Meldon Hill. The subject of the application is a large, traditional, former barn that stands opposite the main farmhouse, within a private garden, with access and parking provided at the rear. The barn was originally converted and used as holiday accommodation under part of a farm diversification scheme; a requirement was that the unit would be ancillary to the operation of the farm. Approval of a subsequent application saw a new condition imposed which limited the use of the building to holiday occupation only, but without being tied to the farm. It is this condition that the current application seeks to remove.

It is understood that the current Covid-19 lockdown restrictions on travel have stopped guests booking short break holidays which, the applicant states, has had a devastating effect on income now and for the foreseeable future. The proposal is to effectively remove the occupancy condition and time limit for occupation which, if approved, the barn would become unencumbered by any occupancy condition and could therefore be let or sold for full time residential use on the open-market.

Local Plan policies resist the creation of unrestricted dwellings in the open countryside and this proposal clearly conflicts with those policies. While there is sympathy for the applicant's current circumstances, there is no planning justification for the removal of the holiday occupancy condition. However, the impact of Corona virus on the tourist industry is well recognised, and it is considered that granting a temporary permission for 12 months, to assist the main farming enterprise through these difficult times, is a reasonable and pragmatic response to the current crisis. Upon the expiration of the temporary permission, there would be an opportunity to review the impact of restrictions through a further application or alternatively, the use of the barn would revert back to being a holiday unit.

Should temporary permission be granted an additional condition, which removed permitted development rights, is proposed, as follows:

'Notwithstanding the provisions of the Town and Country Planning (General Permitted Development)(England) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building shall be carried out and no extension, building, enclosure, structure, erection, hard

surface, swimming or other pool shall be constructed or erected in or around the curtilage of the building, without the prior written authorisation of the Local Planning Authority’.

Following the Chairman’s invitation to speak, Mr Rogers stated he objected to the change in description with regard to his application. He stated that he had applied for a change to the restricted period of occupation, not for the complete removal of the condition and, therefore, with this in mind, felt that he had been placed in an unfair position before Members.

The Case Officer confirmed that the description had changed since first advertised as officers believed that the description better reflected the application.

In view of the issues raised by the applicant, Mr McInnes proposed that the application be DEFERRED in order to clarify the disparity, which was seconded by Mr Barker.

RESOLVED: That the application be DEFERRED in order that a clear description of the application be made prior to returning it before Members at the next Development Management Committee meeting.

Mrs Hill reconnected to the meeting and participated in the following item.

Item 3 – 0018/20 – Construction of three two-bed houses, six three-bed houses, conversion of an existing building to provide two two-bed houses and improvement of existing access – Devonia House Nursing Home, Leg O Mutton Corner, Yelverton

The Case Officer clarified two errors within his report as follows:

Page 29 - Condition 2 –the drawing numbered 02 Rev. B should read 02 Rev. D.
Page 31 Introduction - the second paragraph states that 11 new homes will be provided including ‘six new homes and two provided from the conversion of existing buildings’. For clarity, the proposal is for 11 new homes, including ‘9 new homes and two provided from the conversion of existing buildings’.

Devonia House is immediately south of the A386 Tavistock Road. The sole vehicular access to the site would be from the A386 to the north. Access to the south would be restricted to cyclists and pedestrians, with walkways providing access to the centre of Yelverton, the local shopping precinct and Roborough Down. The development includes the demolition of the existing Care Home, including the building originally called ‘American House’ thought to be built in the mid-19th Century. Officers are conscious that the building provides some local interest to families with a historical link to the site and to a number of local residents. However, the Heritage Statement, provided by the applicant, together with the view of the Authority’s Building Conservation Officer is that the building is not of significant heritage value.

The proposal also includes the conversion of the former coach house buildings to the south west of the site. The heritage statement found the undesignated coach house to be of limited significance but did note that the architectural elements on the east-facing elevation, provide an indication of its former use in a likely light industrial, storage and/or retail context. The conversion of the coach house is considered sympathetic to the limited heritage value.

The dwellings are two-storey and of a traditional design, set in small, traditional terraces of six dwellings to the south and three dwellings to the north of the site. They have pitched slate roofs and a variety of elevation treatments including render and feature slate-faced gables. Two parking spaces and one electric vehicle charging point is provided per dwelling. All properties would face outwards with gardens to the middle of the site.

Objections received commented on the overbearing nature of the new buildings to the neighbouring dwelling. Officer opinion is that the new buildings represent an improvement to the existing relationship between the neighbouring property and Devonia House. The current separation is 1m along the entire border of the neighbouring property. Separation within the new development would ensure a minimum of 3.6m. The proposal responds well to the levels on site with terraced gardens and access.

The development presents a high standard of design throughout and is considered to provide an opportunity for significant enhancement of this area of the National Park

The applicant has provided a vacant building credit statement:

Existing vacant buildings to be demolished or converted	=	1,0000 sqm.
Proposed development floorspace	=	980 sqm.
Total difference in floorspace	=	-20 sqm.

The usual requirement for 50% provision of affordable housing to meet local need, as established under Policy DMD21 of the Local Plan, can only be applied where an overall increase in floor space is proposed. Affordable housing provision or contributions cannot be requested in this instance as the vacant building credit covers 100% of the proposed development.

Devon County Council Highways advised that the proposed access is 'designed in accordance with contemporary design guidance for visibility and geometry and the infrequent conflicts that may arise from its proposed use with the existing features on the site are not considered to be a significant highway safety issue, and for that reason conditions are recommended to be imposed on any permission granted.'

An Ecological Impact Assessment report was submitted; the Authority's Ecologist found to be satisfactory. Conditions will be imposed to ensure the mitigation and compensation measures are followed. A Habitats Regulations

Assessment was undertaken, its conclusion being that an Appropriate Assessment is not necessary.

With regard to obligations to be secured under S106:

- Devon County Council has requested a contribution of £4138 towards secondary school transport costs. This is required due to the development being further than 2.25 miles from Tavistock College.
- West Devon Borough Council has confirmed the level of open space contribution should total £23,987 (£8,801 with regard to play facilities at Village Park, and £15,184 towards cricket facilities at Langdon Park.)

In response to Member queries, the Case Officer clarified vacant building credit and the fact that the negative total floorspace meant that affordable housing could not be a requirement of this application. With regard to landscaping, maintenance would be undertaken by the developers for a period of five years; it is yet to be determined who will have responsibility thereafter.

Mr P Townsend, Highways Officer joined the meeting via audio. He advised that the A386 is designated a 40mph speed limit. The proposed visibility splay complies with policy. An assessment has been undertaken; whilst there may be occasional conflict regarding the A386, the right hand turn lane and the bus stop of the opposite side of the road, it was considered to be insufficient to recommend refusal. With regard to pedestrian issues, this is provided to the rear of the site and is considered safe. There is also safe access to a nearby bus stop, which is equivalent in distance to that at the front of the development. The length of highway verge at the sides of the entrance is significant, in excess of 6m, and wide enough for two vehicles exiting the site to be seen. A Member confirmed that the verge is regularly mown by the Highways Department. The verge rises up to form a bank but this would be in line with the proposed dwellings.

With regard to cycle paths/lanes, Mr Townsend advised that there is easy and safe access to the main cycle route which runs from Tavistock to Plymouth

Mr Sanders proposed the recommendation, which was seconded by Mr McInnes.

A Member commented that the discussion regarding highways issues had been extremely informative. They also felt that the proposed development was for good quality design and construction and would enhance the local area.

RESOLVED: That, subject to the conditions set out below, and the completion of a s106 legal agreement in respect of contributions to education transport requirements and public open space, planning permission be
GRANTED:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission;
2. The development hereby approved shall be carried out in accordance with following approved drawings: Block Plan and drawings numbered 02 Rev. D, 03 Rev. E, 08 Rev. C, 09 Rev. C, 11 Rev. B, 12 Rev. G and 13 received 2 April 2020.
3. No development shall take place until a detailed Construction Environment Management Plan (CEMP) has been submitted to and approved in writing by the Local Planning Authority. This Plan shall include details of all permits, contingency plans and mitigation measures that shall be put in place to control the risk of pollution to air, soil and controlled waters, protect biodiversity and avoid, minimise and manage the productions of wastes with particular attention being paid to the constraints and risks of the site. The Plan shall include details of the timings of the work to be agreed with the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved details and any subsequent amendments shall be agreed in writing with the Local Planning Authority.
4. Prior to the commencement of the development hereby permitted, details of the proposed surface water drainage management plan shall be submitted to the Local Planning Authority for written approval. The surface water drainage management plan should demonstrate how surface water from the development will be disposed of in a manner that does not increase flood risk elsewhere, in accordance with the principles of Sustainable Drainage Systems.
5. No development shall start until a Method of Construction Statement, to include details of:
 - a. parking for vehicles of site personnel, operatives and visitors
 - b. loading and unloading of plant and materials
 - c. storage of plant and materials
 - d. programme of works (including measures for traffic management)has been submitted to and approved in writing by the Local Planning Authority. Only the approved details shall be implemented during the construction period.
6. Details of the proposed landscaping and planting scheme shall be submitted to the Local Planning Authority for approval. The landscaping and planting shall be carried out in accordance with the approved scheme within twelve months of the commencement of the development, or such longer period as the Local Planning Authority shall specify in writing. The landscaping and planting shall be maintained for a period of five years from the date of the commencement of the development, such maintenance shall include the replacement of any trees or shrubs that die or are removed.
7. A detailed schedule of the materials and finishes to be used on the approved dwellings shall be submitted and approved in writing by the Local Planning Authority prior to the commencement of the construction of the dwellings. This shall include samples of the roof slate, hanging slate, details of render finishes, window/exterior door units, verge/soffit details, positions of meter boxes, boundary fence design, driveway surface

- materials, roadway surface materials, kerbs and any proposed exterior lighting units.
8. Unless otherwise agreed in writing by the Local Planning Authority, all external doors and windows in the development hereby permitted, shall be of timber construction and shall at all times thereafter be retained as timber framed windows and doors.
 9. All gutters and downpipes on the development hereby approved shall be of metal construction and round or half-round in section and, unless otherwise agreed by the Local Planning Authority in writing, shall be painted black not later than 30 days after the substantial completion of the development.
 10. No part of the development hereby approved shall be commenced until the access, parking facilities, visibility splays, turning area and access drainage have been provided and maintained in accordance with the application drawings and retained for that purpose at all times.
 11. Works shall not proceed until a European Protected Species Licence (EPSL) for the development has been obtained from Natural England. Works to proceed in strict accordance with the recommendations in Section 5 and Figures 15, 16, 17, 18 and 19 of the Ecological Impact Assessment report (Colmer Ecology, December 2019), subject to any variation required by Natural England under any license issued.
 12. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the Local Planning Authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to and approved in writing by the Local Planning Authority. The remediation strategy shall be implemented as approved.
 13. The proposed estate roads, footways, footpaths, verges, junctions, street lighting, sewers, drains, retaining walls, service routes, surface water outfall, road maintenance/vehicle overhang margins, embankments, visibility splays, accesses, car parking and street furniture shall be constructed and laid out in accordance with the application drawings.
 14. There shall be no street lighting within the development unless otherwise agreed in writing with the Local Planning Authority.
 15. The occupation of any dwelling shall not take place until the following works have been carried out to the written satisfaction of the Local Planning Authority:
 - (i) The access way including the vehicle turning head shall have been laid out, kerbed, drained and constructed up to and including base course level, the ironwork set to base course level and the sewers, manholes and service crossings completed;
 - (ii) The access way visibility splays have been laid out to their final level;
 - (iii) The car parking and any other vehicular access facility required for the dwellings by this permission has/have been completed;
 - (iv) The electric vehicle charge points have been installed, are live and connected for use of residents;
 - (v) The verge and service margin and vehicle crossing on the road frontage of the site have been completed with the highway boundary properly defined.

The carriageway, vehicle turning head, footways and footpaths shall be maintained free of obstruction to the free movement of vehicular traffic and pedestrians.

16. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) Order 2015 or any Order revoking and re-enacting that Order with or without modification, no material alterations to the external appearance of the building(s) shall be carried out and no extension, building, enclosure, structure, erection, hard surface, swimming or other pool shall be constructed or erected in or around the curtilage of the dwelling hereby permitted, and no windows or roof lights other than those expressly authorised by this permission shall be created, formed or installed, without the prior written authorisation of the Local Planning Authority.

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